IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

WP(C).No. 18544 of 2004(G)

PETITIONER:

DR.SUDHAK.NANDANAM, THAZHE CHOWWA P.O. KANNUR, LECTUER IN ZOOLOGY, SREE NARAYANA COLLEGE, KANNUR.

BY ADV. SRI.T.R.HARIKUMAR

RESPONDENTS:

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1. STATE OF KERALA, REP. BY THE PRINCIPAL SECRETARY TO GOVERNMENT, GOVERNMENT HIGHER EDUCATION (D) DEPARTMENT, TRIVANDRUM.

2. THE DIRECTOR OF COLLEGIATE EDUCATION, TRIVANDRUM.

3. KANNUR UNIVERSITY, KANNUR REP. BY ITS REGISTRAR.

4. THE PRINCIPAL, SREE NARAYANA COLLEGE, KANNUR.

BY GOVERNMENT PLEADER SRI. MANOJKUMAR ADV. M.SASEENDRAN,SC,KANNUR UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 18544/2004 G

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER K.DIS EX. B2/8624/2000/CCE OF THE COMMISSIONER OF GOVT. EXAMINATIONS, DT. 30/1/02.

EXT.P2. COPY OF THE THIRD PAGE OF THE SSLC BOOK OF THE PETITIONER.

EXT.P3A. COPY OF THE REPRESENTATION BY THE PETITIONER SENT THROUGH THE COLLEGE DT. 27/5/02.

EXT.P3B. COPY OF THE REPRESENTATION BY SENT THROUGH THE PRINCIPAL OF THE COLLEGE DT. 28/5/02.

EXT.P4. COPY OF THE ORDER NO. 13328/D2/2003/H.EDN DT. 12/5/2003 OF THE PRINCIPAL SECRETARY TO GOVT, TRIVANDRUM.

EXT.P5. COPY OF THE REPRESENTATION BY THE PETITIONER DT. 17/7/2003.

EXT.P6. COPY OF THE ORDER NO. 37905/D2/03/H.EDN OF THE HIGHER EDUCATION (D) DEPARTMENT, TRIVANDRUM DT. 8/3/04.

EXT.P7. COPY OF THE LETTER NO. ACAD. B2/4005/03 OF THE REGISTRAR OF KANNUR UNIVERSITY DT. 5/4/04.

EXT.P8. COPY OF THE REPRESENTATION OF THE PETITIONER DT. 22/4/04.

EXT.P9. COPY OF THE ORDER NO. 11717/D2/04/H.EDN OF THE HIGHER EDUCATION (D) DEPARTMENT DT. 13/5/04.

EXT.P10. COPY OF THE GO RT NO. 255/99/H.EDNDT. 25/2/99.

EXT.P11. COPY OF THE ORDER NO. 13406/D2/04/H.EDN OF THE HIGHER EDUCATION (D) DEPARTMENT DT. 3/6/04.

EXT.P12. COPY OF THE NOTIFICATION NO. SC. 48924/B2/PS/HIGHER EDUCATION DT. 19/4/79.

EXT.P13. COPY OF THE IST STATUTE OF THE KANNUR UNIVERSITY DT. 25/6/98.

EXT.P14. COPY OF THE GO RT NO. 556/2003/G.EDN DT. 6/2/2003.

RESPONDENT'S EXHIBITS **NIL.**

True copy

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KURIAN JOSEPH J.

W.P.(C) No.18544 of 2004

Dated 13th July, 2007.

J U D G M E N T

Petitioner is aggrieved since the Government has not granted sanction for correction of date of birth on the basis of the correction already made by the Commissioner for Government Examinations in the SSLC Book, as per Ext.P1. In Ext.P11, the Government has taken the stand that there is no provision in the Kannur University Statutes to effect the correction of date of birth, as in the case of employees in the Calicut University. There is no dispute that in the case of the employees of the Calicut University, the date of birth can be corrected in the service book and one such instance is Ext.P10. As far as the statutory provisions regarding correction of date of birth in the two Universities, there is virtually no difference. Ext.P12 is the First Statues governing the employees of the Calicut University and Ext.P13 is the First Statutes governing the employees of the Kannur University. The provisions are identical. If that be so, there is no point in discriminating the petitioner for the only reason that he happened to be an employee in a college affiliated

to Kannur University. I quash Ext.P11. There will be a direction to the first respondent to pass fresh orders in the matter, extending a similar treatment given to the employee referred to in Ext.P10, to the petitioner. This shall be done within two months from the date of production of a copy of the judgment.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 13th July, 2007.